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Attorney for Defendant
DANIEL STEWART

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL STEWART
LUKE BURROUGHS,

Defendants.

CASE NO. 2:20-CR-0194 DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: January 25, 2024

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

STIPULATION

1. By previous order, this matter was set for status on January 25, 2024
2. By this stipulation, defendants now move to continue the status conference and change of plea hearing to February 1, 2024, at 9:00 a.m., and to exclude time between January 25, 2024, and February 1, 2024.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has produced discovery associated with this case that includes 12793 Bates numbered documents. This includes bank records; memoranda of interviews, audio recordings, and video recordings. The government has also provided forensic images of electronic devices to the defense.
 - b) Counsel for defendant Daniel Stewart has a jury out in Placer County and is unavailable to appear in court on January 25, 2024. The parties prefer that the defendants enter

1 their changes of plea during the same proceeding. Additionally, because defense counsel for Mr.
2 Stewart has been in trial, he requests additional time to consult with his client.

3 c) Counsel for defendants believe that failure to grant the above-requested
4 continuance would deny counsel the reasonable time necessary for effective preparation, taking
5 into account the exercise of due diligence.

6 d) The government does not object to the continuance.

7 e) Based on the above-stated findings, the ends of justice served by continuing the
8 case as requested outweigh the interest of the public and the defendant in a trial within the
9 original date prescribed by the Speedy Trial Act.

10 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
11 et seq., within which trial must commence, the time period of January 25, 2024 to February 1,
12 2024., inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
13 T4] because it results from a continuance granted by the Court at defendants' request on the basis
14 of the Court's finding that the ends of justice served by taking such action outweigh the best
15 interest of the public and the defendant in a speedy trial.

16 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
17 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
18 must commence.

19
20 IT IS SO STIPULATED.

21
22 Dated: January 24, 2024

PHILLIP A. TALBERT
United States Attorney

23
24 /s/ JUSTIN LEE
JUSTIN LEE
Assistant United States Attorney

25
26 Dated: January 24, 2024

/s/ DAVID D. FISCHER
DAVID D. FISCHER
Counsel for Defendant
Daniel Stewart

Dated: January 24, 2024

/s/ CANDICE FIELDS
CANDICE FIELDS
Counsel for Defendant
Luke Burroughs

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 24th day of January, 2024.

/s/ Daniel J. Calabretta
THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE